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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,140	11/19/2001	Akira Momose	216258US2	8185

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EXAMINER

ROBINSON, MYLES D

ART UNIT PAPER NUMBER

2622

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/988,140

Applicant(s)

MOMOSE ET AL.

Examiner

Myles D. Robinson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 12/30/2005, and has been entered and made of record. Currently, **claims 1 – 15** are pending.

### *Response to Arguments*

2. Applicant's arguments filed 12/30/2005 (see page 19, line 1 – page 21, line 11) with respect to the rejections of claims 1 – 6, 8 – 13 and 15 under 102(b) and claims 7 and 14 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejections are made in view of **Evanitsky et al.** (U.S. Patent No. 5,045,880) in view of **Streefkerk et al.** (U.S. Patent No. 6,104,470).

Regarding **claim 1**, the Applicant argues that Evanitsky et al. does not disclose, teach or suggest "each symbol graphically customized to display a first plurality of printing functions" (see page 20, lines 3 – 24). However, Streefkerk et al. does disclose wherein each symbol is graphically customized to correspond with at least one printing function (see Figs. 5, 6A – 6I). Therefore, the Applicant's arguments regarding claim 1 and its dependent claims are considered not persuasive. Please cite rationale of the grounds of rejection below for further explanation.

### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the "sidewise" radio button selected in document orientation selection area a2 in Fig. 8 as described in the specification (page 15, lines 5 – 8). Furthermore, the drawings of Fig. 7 are identical to the drawings of Fig. 8; however, the detailed discussion of Fig. 7 refers to "lengthwise" document orientation while illustrated with the "lengthwise" radio button selected, and the detailed discussion of Fig. 8 refers to "sidewise" document orientation while illustrated with the "lengthwise" radio button selected. It is suggested that Fig. 8 somehow reflect the "sidewise" document orientation feature disclosed within the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the

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applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim 1 – 6, 8 – 13 and 15*** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Evanitsky et al.** (U.S. Patent No. 5,045,880) in view of **Streefkerk et al.** (U.S. Patent No. 6,104,470).

Referring to **claim 1**, Evanitsky et al. disclose an information processing device comprising:

a display unit (see Fig. 6, monitor 214) configured to display at least one display screen (see Fig. 6, video display screen 220), wherein said display screen includes a symbol display area (see Fig. 7, work selection area 240, column 8, lines 11 – 19, 36 – 41, and column 9, lines 31 – 35),

a symbol display control unit (see Fig. 3, user interface 213) configured to display a list of symbols in said symbol display area (column 5, lines 29 – 34, column 7, lines 9 – 18, column 8, lines 6 – 19, column 15, lines 6 – 53), each symbol to display a first plurality of printing functions (see Fig. 23, folders 904, 906, 908, ... 920),

a symbol selection unit (see Fig. 8, touch input system 226) configured to select one symbol from the list of symbols displayed in said symbol display area (column 8, lines 14 – 19, column 9, lines 44 – 49, and column 10, lines 5 – 18, 30 – 41), and

a printing function setting unit configured to set a plurality of printing functions represented by the symbol selected by said symbol selection unit (see Fig. 23, slots or folders 902 – 920 and column 16, lines 12 – 54) but does not explicitly disclose wherein each symbol is graphically customized to display a first plurality of printing functions.

Streefkerk et al. disclose the device wherein each symbol (see Figs. 5, 6A – 6J, visual representation 500) is graphically customized to display a first plurality of printing functions (Abstract, column 4, lines 40 – 67 and column 5, line 52 – column 6, line 50 wherein visual representation 500 is graphically customized to correspond with document-finishing operations such as spine stapling, corner stapling, bottom stapling, binding, booklets, folding, landscape orientation, etc.).

Evanitsky and Streefkerk are combinable because they are both from the same field of endeavor, being computing and information processing systems utilizing display outputs and graphical user interfaces. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a symbol graphically customized to display multiple printing functions along with an information processing system configuring graphical icons corresponding with printing functions. The suggestion/motivation for doing so would have been to make choosing from many printing functions more convenient, easier and effective for the user, as suggested by Streefkerk et al. (column 1, lines 42 – 55 and column 2, lines 3 – 18).

Referring to **claim 2**, Evanitsky et al. disclose the device further comprising:

a printing function display control unit (see Fig. 3, user interface 213) configured to display a second plurality of printing functions in a printing function display area (see

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Fig. 10, icons 302, 304, 306, ... 320 displayed in scorecard 270) on said display screen (column 7, lines 9 – 18, column 8, lines 36 – 41, and column 8, lines 52 – 56 and column 11, lines 22 – 32),

a printing function selection unit (see Fig. 8, touch input system 226) configured to select at least one printing function displayed in said printing function display area (column 7, lines 9 – 18, column 8, lines 14 – 19, column 9, lines 44 – 49, column 10, lines 30 – 41 and column 11, lines 22 – 32),

a symbol preparation unit (see Fig. 3, controller 114 in relation to user interface 213) configured to prepare a symbol representing the printing function selected by said printing function selection unit (column 7, lines 3 – 5), and

a symbol registration unit (see Fig. 8, touch input system 226) configured to register the printing function selected by said printing function selection unit in correlation with the symbol prepared by said symbol preparation unit (see Fig. 23, slots or folders 902 – 920, column 15, lines 6 – 53 and column 16, lines 12 – 54).

Referring to **claim 3**, Evanitsky et al. disclose the device further comprising a symbol display unit (see Fig. 7, work selection area 240, column 8, lines 11 – 19, 36 – 41, and column 9, lines 31 – 35) configured to display the symbol prepared by said symbol preparation unit in a prepared symbol display area on the display screen (see Fig. 23, slots or folders 902 – 920, column 15, lines 6 – 53 and column 16, lines 12 – 54).

Referring to **claim 4**, Evanitsky et al. disclose the device further wherein said printing function display control unit is configured to display a symbol group (see Fig.

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13, icons 308, 310, 318, 320) representing a single printing function in said printing function display area (column 7, lines 9 – 18 and column 9, lines 31 – 34), and said printing function selection unit is configured to select at least one of a plurality of symbols from the symbol group displayed in said printing function display area, to select the printing functions respectively represented by said selected plurality of symbols (column 8, lines 6 – 11, 14 – 19, column 10, lines 30 – 41 and column 11, lines 22 – 32). Each of the icons, or symbols, in Fig. 13 is considered to represent a single printing function.

Referring to **claim 5**, Evanitsky et al. disclose the device further comprising a memory unit (see Fig. 3, memory 115) configured to store image data representing each printing function (column 7, lines 9 – 18 and column 8, lines 6 – 19), wherein said symbol preparation unit (see Fig. 3, controller 114 in relation to memory 115) is configured to combine the image data stored in said memory unit, representing the at least one printing function selected by said printing function selection unit, to create the prepared symbol (see Fig. 23, folders 904, 906, 908, ... 920) representing the at least one selected printing function (column 15, lines 6 – 53). User interface 213 programs jobs that perform multiple printing functions represented by folders 904, 906, 908, ... 920, which are displayed as icons, pictograms, or otherwise image data. Memory 115 retains the job programming instructions, operating/control information, etc. such as the image data that represent the job programming instructions embodied by folders 904, 906, 908, ... 920 in Fig. 23, which perform jobs with at least one printing functions.



Referring to **claim 6**, Evanitsky et al. disclose the device wherein the first plurality of printing functions include at least one of a paper direction (see Fig. 20, OUTPUT icon 318, "landscaping staple" icon 556 and column 13, lines 30 – 43), a reversing function (see Fig. 15, SIDES IMAGED icon 310 and column 12, lines 45 – 51), an aggregation function (see Fig. 20, OUTPUT icon 318, COLLATED icon 540 and column 13, lines 30 – 43), a binding function (see Fig. 20, OUTPUT icon 318, "bind" icon 558 and column 13, lines 30 – 43), a stapling function (see Fig. 20, OUTPUT icon 318, "1 staple" icon 552, "2 staples" icon 554, and column 13, lines 30 – 43), a punching function (see Fig. 13, MAIN PAPER icon 302, "drilled" icon 424 and column 11, line 67 – column 12, line 16), and a scaling function (see Fig. 14, REDUCE/ENLARGE icon 308 and column 12, lines 32 – 44).

Referring to **claims 8 – 13**, respectively, the rationale provided in the rejection of claims 1 – 6, respectively, are incorporated herein. In addition, the apparatus of claims 1 – 6 perform the method of claims 8 – 13.

Referring to **claim 15**, the rational provided in rejection of claim 8 is incorporated herein. The program of instructions stored within memory (see Fig. 3, memory 115) and executed by a processor (see Fig. 3, controller 114) with within claim 15, respectively, executes the program of instructions (column 18, lines 9 – 11) of claim 8, respectively.

### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 7 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Evanitsky et al.** (U.S. Patent No. 5,045,880) in view of **Streefkerk et al.** (U.S. Patent No. 6,104,470) and further in view of **Fitzpatrick et al.** (U.S. Patent No. 5,608,860).

Referring to **claim 7**, Evanitsky et al. and Streefkerk et al. disclose the device as discussed above but does not explicitly disclose the device further comprising a rearrangement instruction unit configured to instruct the rearrangement of the symbols displayed in said symbol display area, and a rearrangement unit configured to rearrange the symbols displayed in said symbol display area, in accordance with the rearrangement instructed by said rearrangement instruction unit.

Fitzpatrick et al. disclose the device further comprising:

a rearrangement instruction unit (see Fig. 1 and Fig. 2, mouse controller 54 of computers 12 and 30) configured to instruct the rearrangement of the symbols displayed in said symbol display area (column 3, lines 5 – 21), and

a rearrangement unit (see Fig. 1, data processing system 8) configured to rearrange the symbols displayed in said symbol display area (see Fig. 3B, icons 66 and 68 and group icon 69) in accordance with the rearrangement instructed by said rearrangement instruction unit (column 2, lines 37 – 9 and column 3, lines 52 – 57).

Evanitsky, Streefkerk and Fitzpatrick are combinable because they are both from the same field of endeavor, being computing and information processing systems utilizing display outputs and graphical user interfaces. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a graphical user

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interface able to manipulate, "drag and drop", or otherwise rearrange symbols and icon on display with the graphical user interface attached to a printing machine. The suggestion/motivation for doing so would have been to improve the ease of using computing devices through direct manipulation operations such as dragging and dropping, as suggested by Fitzpatrick et al. (column 1, lines 16 – 27).

Referring to **claim 14**, the rationale provided in the rejection of claim 7 is incorporated herein. In addition, the apparatus of claim 7 perform the method of claim 7.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hayashi** (U.S. Patent No. 6,830,390) discloses a printing control apparatus and method, and printing system wherein printing functions (i.e. stapling positions, binding edges) are displayed and represented as symbols.

**Nakai et al.** (U.S. Pre-Grant Publication No. 2002/0021310 A1) disclose a print control operation system using icons.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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